

Court No. - 74

Case :- APPLICATION U/S 482 No. - 44638 of 2024

Applicant :- Dinesh Singh Alias Dinesh Thakur And 2 Others

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- S.K. Verma, Sarvesh

Counsel for Opposite Party :- Akhilesh, G.A.

Hon'ble Vikas Budhwar, J.

1. Contention of learned counsel for the applicants is that though the complaint stood lodged by O.P. No.2 against the applicant on 09.06.2023 relating to commission of offences on 22.02.2023, however, even if the complaint is taken to its face value, it is more than evident that the hurling of the caste-based abuses were inside the house and further according to him, applicant no.3 had already lodged a first information report on 06.02.2023 relating to the commission of offences on 25.01.2023 under Sections 379, 323, 504, 506 IPC against the husband of O.P. No.2. Learned counsel for the applicant submits that at best the same can be termed to be a dispute relating to the property being a civil dispute given criminal tinge.

2. Sri Akhilesh, learned counsel for the O.P. No.2 submits that there happens to be the statement of the independent witnesses Daryav and Ram Ji, who had witnessed the said incident.

3. Matter requires consideration.

4. Notice on behalf of opposite party no.1 has been accepted by the learned A.G.A.

5. Both the opposite parties may file their response within six weeks. Rejoinder, if any, may be filed within two weeks thereafter.

6. List thereafter before appropriate Bench.

7. Till the next date of listing, further proceedings of Complaint

case no. 92 of 2024, (Krishna Devi versus Dinesh Thakur and others), under section 452, 323, 504, 506 of I.P.C., and section 3 (2) (5) of SC/ST Act, Police Station Gabhana, District Aligarh pending in the court of Special Judge (SC/ST Act), Aligarh, so far as it relates to the applicants, shall remain stayed.

Order Date :- 7.3.2025
N.S.Rathour

(Vikas Budhwar, J)